



Local Licensing Authority

NEW LIQUOR LICENSE APPLICATION

Information & Checklist

Description:

When a business owner desires to have the ability to sell or serve malt, vinous and/or spirituous liquors, he/she must first obtain a liquor license. In the State of Colorado, the licensing of retail establishments is a dual authority meaning that both the local authority and the state authority review all license applications. It is recommended that you hire an attorney if you are unfamiliar with the lengthy and complicated process of obtaining a new license. Applicants may also represent themselves if they are comfortable doing so.

New license applicants are required to attend two meetings of the Local Authority. At the first meeting, the application is reviewed and formally accepted by the Authority, the "neighborhood" is established, and a public hearing is scheduled at least thirty days later (usually the next regular meeting). The "neighborhood" is the area from where the applicant feels their clientele will be coming. For example, a convenience store may use street boundaries because it is likely that the business is frequented by people in the surrounding area. However, a specialty restaurant might have clientele coming from the entire city; therefore, they might request a larger area be their "neighborhood." The Local Authority will have the final decision on the actual neighborhood boundaries.

At the second meeting - the public hearing - the burden is on the applicant to prove to the Authority that the *needs and desires* of the inhabitants within the established "neighborhood" are not currently being met by the existing outlets and that the owner(s) are of *good moral character*. They can prove this by doing petitioning, by having witnesses testify at the hearing, or any other appropriate method. Any witnesses testifying or signing petitions must be at least 21 years of age and residents or managers/owners of businesses within the established neighborhood. **Any petitions or exhibits must be filed with the City Clerk's Office no later than one week prior to the public hearing.**

If approved at the public hearing, the application will be forwarded to the State for processing. Once the State has reviewed and approved the application, the new license will be sent to the Deputy City Clerk. After building and fire inspections have been passed for the new location, the City and State liquor licenses will be issued to the licensee and the licensee may begin stocking, selling and/ serving alcoholic beverages.

What to know before submitting an application:

- ✓ For questions about this application or the process, please contact the secretary to the Local Licensing Authority, the Deputy City Clerk, at 350 Kimbark St. or (303) 651-8647. Please note that the Deputy City Clerk may not provide you legal advice regarding your application.
- ✓ The application process takes *approximately* 120 days (from submittal to license issue).
- ✓ **Two (2) complete packets** must be submitted to the City Clerk's Office, 350 Kimbark Street, Longmont, CO 80501. One packet is for the City, one packet is for the State. Incomplete application packets will not be accepted. **Please do not staple pages.**
- ✓ **ALL documents must be properly executed and must correspond with name of applicant exactly. ALL documents must be 8 ½ x 11** and be typed or legibly printed in black ink.
- ✓ Some documents require a notary. The City Clerk's staff can notarize these documents for you when you submit your application packet, if needed. Please be sure to bring your photo identification with you.
- ✓ The Local Licensing Authority meets on the third Friday of each month at 10:00 a.m. in Courtroom A of the Safety & Justice Center, 225 Kimbark St., Longmont. You will be notified when your application will be scheduled for review by the Authority and you, or a representative, must appear at the hearing when scheduled.
- ✓ Licensees are expected to know, understand, and comply with the Colorado Liquor and Beer Code. Copies of the Colorado Liquor/Beer Code are available on the State of Colorado Department of Revenue website at: <https://www.colorado.gov/pacific/enforcement/liquor>

NEW LICENSE APPLICATION CHECKLIST

**ALL documents must be 8 ½ x 11 in size, legible, and properly executed
TWO COMPLETE packets must be submitted -- ONE FOR CITY AND ONE FOR STATE**

A. APPLICATION (STATE FORM #DR8404):

- ☐ 1. Complete in all appropriate sections & signed and dated
- ☐ 2. Appropriate State & City fees attached
- ☐ 3. Letter proposing neighborhood boundaries. Please indicate street names not just a distance around the location. It is a good idea, but not a requirement, to also include a map showing the boundaries.
- ☐ 4. Letter requesting concurrent review (if applicable) (can include items 4 and 5 in one letter)

B. PROOF OF POSSESSION OF PROPERTY:

- ☐ 1. Deed or Lease (also include assignment of lease, if applicable)
- ☐ 2. Lease must be in EXACT SAME NAME as line 2 on the DR8404; cover entire license period; be properly executed; and demonstrate possession of all areas shown in premises diagram (i.e. patios, storage rooms, etc.)
- ☐ 3. Consent and acceptance on assignments (if applicable)
- ☐ 4. Detailed drawing of the premises to be licensed with "licensed premises" outlined in **RED** (the diagram must include: dimensions, exterior areas should show control and be contiguous, exact seating, kitchen and alcohol storage areas labeled, and a separate diagram for each floor)

C. FINANCIAL DOCUMENTS:

- ☐ 1. City of Longmont Financial Questionnaire and Affidavit (notarized)
- ☐ 2. Purchase agreements or stock transfer agreements
- ☐ 3. Copy of notes or loans (i.e. assumed, banks, previous owners)
- ☐ 4. City of Longmont Consent to Release Financial Information (notarized)

D. CORPORATE DOCUMENTS:

If applying entity is a Corporation:

- ☐ 1. Certificate of Incorporation or date-stamped (by Secretary of State) Articles of Incorporation
- ☐ 2. Certificate of Good Standing issued within past two years (for corporations older than two years)
- ☐ 3. Certificate of Authority (if foreign corporation)
- ☐ 4. Minutes of Corporate Meeting (showing elections, resignations, stock breakdown)
- ☐ 5. Stock Certificates (100%) or Affidavit showing stock breakdown
- ☐ 6. List of officers/stockholders/directors of parent corporation (if applicable)

If applying entity is a Limited Liability Company (LLC):

- ☐ 1. Articles of Organization acknowledged (date-stamped) by Secretary of State's Office.
- ☐ 2. Operating Agreement
- ☐ 3. Certificate of Authority (if foreign company)
- ☐ 4. Minutes from Meetings reflecting members

If applying entity is a Partnership (not needed for husband and wife):

- ☐ 1. Partnership agreement (general or limited)

E. BACKGROUND INVESTIGATION DOCUMENTS:

(each of the items below is required for each owner with 10% interest or more in the legal entity applying for the license listed on page 4 of the DR8404):

- ☐ 1. Individual History Record (DR8404-I)
- ☐ 2. Three (3) character reference letters. One of the letters must specifically address financial character per local rules.
- ☐ 3. Fingerprints (make appointment online by clicking on "Fingerprinting Information" at: <http://longmontcolorado.gov/departments/departments-a-d/city-clerk/licenses-and-permits/liquor-licenses>)
- ☐ 4. \$38.50 per person Background Investigation Fee payable to Colorado Bureau of Investigation (must be paid by Money Order, Cashier's Check, or Business Check - personal checks not accepted)

- ☐ 5. City of Longmont Authorization to Release Information (notarized)

F. MANAGEMENT INFORMATION:

1. **Is this application for a Hotel & Restaurant or a Tavern license?**

>NO. Complete and submit only the following form:

- ☐ 1. City of Longmont Manager's Registration Form

>YES. See #2 (below).

2. **>Will an owner be the Registered Manager (anyone listed on page 4 of the DR8404)?**

>YES. Complete and submit only the following form:

- ☐ 1. City of Longmont Manager's Registration Form

>NO. If the registered manager will be someone *other* than the licensee or one of the owners, submit the following documents for that person:

- ☐ Manager's Registration Form (DR8442)
- ☐ City of Longmont Manager's Registration Form
- ☐ Individual History Record (state form #DR8404-I)
- ☐ Fingerprints (make appointment online by clicking on "Fingerprinting Information" at: <http://longmontcolorado.gov/departments/departments-a-d/city-clerk/licenses-and-permits/liquor-licenses>)
- ☐ Three (3) character reference letters
- ☐ Management agreement (employer-employee contract or affidavit showing duties, limitations, and compensation)
- ☐ Manager Registration Fees:
 - \$75.00 payable to the Colorado Department of Revenue
 - \$75.00 payable to the City of Longmont
 - \$38.50 payable to CBI for the background check